

**Rural Telephone Coalition**

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

**RECEIVED**

**MAY 3 1996**

**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY**

In the Matter of )  
)  
Policy and Rules Concerning the )  
Interstate, Interexchange Marketplace )  
)  
)  
Implementation of Section 254(g) of the )  
Communications Act of 1934, as amended )

**CC Docket No. 96-61**

**DOCKET FILE COPY ORIGINAL**

**REPLY COMMENTS  
OF THE  
RURAL TELEPHONE COALITION**

**May 3, 1996**

No. of Copies rec'd 0411  
List ABCDE

## SUMMARY

Congress has given the Commission a clear and precise mandate to adopt rules requiring geographic averaging and rate integration. That mandate averted abandonment of the Commission's long established geographic rate averaging policy, coming as it did shortly after the Commission declared AT&T non-dominant and accepted its promise to give five days notice of deaveraging in lieu of adopting a specific rule requiring geographic averaging as requested by rural telephone companies. The legislative history of 254(g) contains proof that Congress intended to avert erosion of the geographic averaging policy by requiring the establishment of rules to effectuate the policy.

The parties that now urge the Commission to forbear from enforcing Section 254(g) ignore the Congressional intent but fail to demonstrate that the Section 10 forbearance standards have been satisfied. They have not shown how consumers will be protected nor how interexchange charges and practices will remain just and reasonable or nondiscriminatory without Commission enforcement of geographic averaging and rate integration. Nor have they shown how the public interest will be protected in the absence of enforcement. The RTC, on the other hand, and many

other parties, including state public service commissions and state advocates close to the issue, have shown that the public will be harmed if interexchange and intrastate toll rates are deaveraged and rate integration is abandoned.

The universal availability of discount and promotional plans is essential to the preservation of geographic averaging and rate integration. Nothing in the legislative history of Section 254(g) supports IXC claims that rules should confine the requirements to MTS and WATS or to residential service. Piecemeal discounts to limited geographic areas in fact constitute deaveraging. Rural areas will be unfairly treated and adversely affected unless the potential subscribers of IXC business as well as residential services have the same choices that urban subscribers have. IXCs must advertise and provide their services nationwide to comply with the Section 254(g) mandate and purpose.

The Commission will not be able to enforce geographic averaging and rate integration requirements without rules that require filed rate schedules, even if these are filed simultaneously with their effective date. The success of enforcement through the complaint process will depend on public monitoring and processes that can only succeed if the public has

ready access to the information needed to satisfy the legal requirements of Section 208 and the Act and the Commission's rules. The certification procedures suggested in the NPRM are insufficient for this purpose. The RTC agrees that it may not be necessary to comply with all Part 61 rules. Interexchange carriers' burdens can be lightened by relieving them of massive data filing requirements. Rates filed at the Commission can be made available to the public through the Internet. This will give the public access to the information it needs to use the complaint process effectively. Without filed tariffs and adequate access to information to support complaints, enforcement and the requirements of Section 254(g) will be a sham.

RECEIVED

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

MAY 3 1996

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of )  
 )  
Policy and Rules Concerning the ) CC Docket No. 96-61  
Interstate, Interexchange Marketplace )  
 )  
 )  
Implementation of Section 254(g) of the )  
Communications Act of 1934, as amended )

REPLY COMMENTS OF  
THE RURAL TELEPHONE COALITION

**I. INTRODUCTION**

Many parties filed comments on April 19, 1996 in response to the Federal Communications Commission's (FCC or Commission) Notice of Proposed Rulemaking<sup>1</sup> regarding the policies and rules for interstate, interexchange service providers that must be addressed in response to the Telecommunications Act of 1996.<sup>2</sup>

---

<sup>1</sup>In the Matter of Policy and Rules Concerning the Interstate, Interexchange Marketplace, CC Docket No. 96-61, Implementation of Section 254(g) of the Communications Act of 1934, as amended, Notice of Proposed Rulemaking, FCC 96-123, (March 25, 1996). (NPRM, Notice)

<sup>2</sup>Telecommunications Act of 1996, Pub. L. 104-104, 110 Stat. 56 (1996). (1996 Act, Act)

The Rural Telephone Coalition hereby submits its reply comments, responding specifically to comments made with regard to the Commission's implementation of the geographic averaging and rate integration requirements of the 1996 Act.<sup>3</sup>

**II. THE COMMISSION MAY NOT FORBEAR OR MAKE WHOLESAL EXCEPTIONS TO THE LEGISLATIVELY MANDATED GEOGRAPHIC AVERAGING AND RATE INTEGRATION REQUIREMENTS**

The record is replete with efforts to (a) narrow the services, customers, carriers, and geographic areas subject to Section 254(g) and (b) expand the permissible exceptions to the subsection's nationwide rate averaging and rate integration mandate. These efforts are unavailing because Section 254(g) is neither limited nor ambiguous and Congress has not expressed any intent to limit its mandate as some commenters demand.

AT&T and Sprint go as far as to urge immediate forbearance that would excuse all non-dominant carriers from all or most averaging.<sup>4</sup> This preposterous suggestion would necessarily negate Section 254(g), treating the mandate as if Congress had irrationally enacted it only to have it abandoned without implementation. In addition, under the 1996 Act, in order to

---

<sup>3</sup>1996 Act at Sec. 101 (adding Sec. 254(g)).

<sup>4</sup>AT&T comments at 39; Sprint comments at 14.

forbear from enforcing a particular provision of the law, the FCC must find, among other things, that forbearance is consistent with the public interest.<sup>5</sup> Congress, in crafting Section 254(g), has already made the policy decision that geographic averaging and rate integration are in the public interest. "At the very least, it is clear that, without actual experience under the new statutory scheme, the Commission cannot reasonably make the findings necessary to forbear from enforcing geographic rate averaging (and rate integration)."<sup>6</sup>

In lieu of complete forbearance, AT&T suggests that the Commission could have all interexchange carriers (IXCs) file at least one "residential" tariff, conveniently ignoring the statutory language and legislative history in Section 254(g).<sup>7</sup> Congress did not enact any provision or intend to limit Section 254(g) to residential services. Indeed, the Conferees adopted the version that Congress ultimately enacted only after removal of the word "residential." That modifier had been introduced in

---

<sup>5</sup>1996 Act at Sec. 401 (adding new Sec. 10(a)).

<sup>6</sup>State of Alaska comments at 5.

<sup>7</sup>AT&T comments at 39. See, also, Facsimile Message and Memorandum sent to John Windhausen by the Rural Telephone Coalition (January, 1996) (Opposing limitation to the "basic" service).

the staff draft dated December 22, 1995, to both geographic rate averaging and rate integration.<sup>8</sup> It was deleted by the accepted list of Proposed Technical Corrections (Addressed to 12/22/95 draft), and the provision was enacted in that amended form.<sup>9</sup>

AT&T also quotes selectively from the Joint Explanatory Statement of the 1996 Act to argue that Congress intended to require extensive forbearance to promote competition, deregulate non-dominant carriers and protect nationwide IXCs.<sup>10</sup> Efforts to limit the policy to what the Commission "enforced on the date of enactment did not succeed." However, AT&T has not given up trying to reduce Congress's mandate to the eroded level of FCC enforcement after the AT&T "non-dominance" ruling that the Act repaired.<sup>11</sup> It is true that in classifying AT&T as non-dominant, the Commission essentially acceded to the end of enforcement for

---

<sup>8</sup>Conference staff draft marked F:\SAC\TAG5\TA95.002, p. 45.

<sup>9</sup>General Communications, Inc. (GCI) also claims that rate averaging requirements apply only to residential and small business customers. GCI comments at 8.

<sup>10</sup>AT&T comments at 30-40.

<sup>11</sup>In the Matter of Motion of AT&T Corp. To be Reclassified as a Non-Dominant Carrier, Order, FCC 95-427 (released October 23, 1995), Reconsideration pending.



nationwide rate averaging after three years.<sup>12</sup> In sharp contrast, Section 254(g) requires the Commission to restore and strengthen the nationwide rate averaging policy into a formal rule, which the Commission had failed to do in the past. The Conferees' citation of an earlier integration order,<sup>13</sup> for example, illustrates that Congress was focused on the traditional geographic averaging and rate integration policy, not the Commission's and AT&T's more recent watered-down substitutes. Indeed, the statutory language requires the Commission to extend the rate averaging requirements by rule to all interexchange providers, including intrastate interexchange providers.<sup>14</sup>

Many commenters argue for various exceptions to the rate averaging and integration requirements for a variety of rates and

---

<sup>12</sup>Id. The Commission accepted AT&T's woefully inadequate offer of three years' worth of explicit notice of deaveraging five days in advance and only for residential service.

<sup>13</sup>Integration of Rates and Services for the Provision of Communications by Authorized Common Carriers between the United States Mainland and the Offshore Points of Hawaii, Alaska and Puerto Rico/Virgin Islands (61 FCC 2d 380 (1976)). 1996 Act, Joint Explanatory Statement of the Committee of Conference, p. 132.

<sup>14</sup>The NPRM acknowledges that the Act requires intrastate averaging, but proposes to defer to state requirements that comply with the 1996 Act. NPRM at para. 68.

circumstances.<sup>15</sup> These include rates set to meet competition, rates set to meet regional carriers, promotions, discounts, customized service offerings, and contracts for service. AT&T even urges an across-the-board delay in implementation of the statutory mandate until the Commission adopts access charge changes.<sup>16</sup> All should fail as exclusions from the mandated rate averaging rules since the 1996 Act does not adopt or authorize any automatic future exceptions.

The Conferees explain in some detail what Congress intends with respect to exceptions: The Joint Explanatory Statement (a) recognizes with apparent approval that the Commission has in the past permitted "non-averaged rates for specific services in limited circumstances," such as Tariff 12 Contracts, (b) notes that the Conferees do not intend to require "the renegotiation of existing contracts," (c) observes that the Commission may grant further exceptions to geographic rate averaging by using its authority under the forbearance provisions in Section 10, and (d) reiterates the requirement that "geographically averaged and rate

---

<sup>15</sup>See, for example, AT&T comments at 33-42; MCI comments at 29-32; Sprint comments at 14-17; BellSouth comments at 5-8, LDDS Worldcom comments at 14; Telecommunications Resellers Association comments at 29-30.

<sup>16</sup>AT&T comments at 34-35.

integrated services, and any services for which an exception is granted, be generally available in the area served by a particular provider."<sup>17</sup>

Given the clear and recent statutory rate averaging mandate from Congress, claims that any of the listed circumstances or services qualifies for a general exception to the rules under Section 10 are premature and overbroad, at best. Section 10 forbearance would require findings that the geographic averaging and rate integration provisions are not necessary to ensure just and reasonable rates or protect consumers and that non-enforcement is consistent with the public interest.<sup>18</sup> While commenters argue that forbearance would improve their ability to compete in urban areas, none are able to make a compelling case for how the criteria for forbearance under Section 10 of the 1996 Act would be met with regard to rural and high-cost areas.

MCI correctly opposes mandatory detariffing on the grounds that the Commission's proposal does not meet Section 10 forbearance standards.<sup>19</sup> However, MCI argues inconsistently for

---

<sup>17</sup>1996 Act, Joint Explanatory Statement of the Committee of Conference, p. 132.

<sup>18</sup>1996 Act at Sec. 401(adding Sec. 10).

<sup>19</sup>MCI comments at 33, footnote 53.

freedom to deaverage rates to meet regional competition without applying the forbearance standard.<sup>20</sup> Like other carriers that demand forbearance to protect their company interests, MCI does not even mention the effects on rural rates or consumers.

AT&T argues for automatic Tariff 12 exceptions or forbearance because large, sophisticated customers can protect themselves.<sup>21</sup> It forgets that rate averaging and the forbearance standards also seek to protect small businesses and residential consumers from deaveraging in favor of more profitable customers or markets. The Commission, instead, must by law make forbearance findings that enforcement is not necessary to ensure just and reasonable rates and safeguard consumers before authorizing any additional exceptions or discounts. Those findings it cannot make at this time or for the foreseeable future.<sup>22</sup>

The statutory standards of Section 10 do not amount to overly rigid enforcement. The RTC realizes that there likely

---

<sup>20</sup>MCI comments at 29-30.

<sup>21</sup>AT&T comments at 37.

<sup>22</sup>Telecommunications Consultants, Inc. (TCI) also agrees that "there are no current circumstances where the Commission would be justified in forbearance from enforcing geographic rate averaging requirements." TCI comments at 3.

will be market-specific promotions from time to time, that are sufficiently limited in duration and terms, that forbearance could be justified under the Section 10 customer, rate, and public interest tests. Nevertheless, any exception for promotions must be very narrowly drawn and carefully monitored to prevent deaveraging through a forbearance loophole that goes beyond what Congress intends. Additional geographically unrestricted and equally-marketed discounts, plans, and contracts may also qualify under Section 10. However, repeal of the Act's requirement is not justified.

**III. THE GEOGRAPHIC AVERAGING AND RATE INTEGRATION REQUIREMENTS ARE NOT CONFINED TO MTS AND WATS AND INCLUDE OPTIONAL DISCOUNT PLANS**

Not surprisingly, IXC's generally commented that the offering of discount or promotional plans should be permitted even if they are not universally available throughout a carrier's service area.<sup>23</sup> The fact is, such programs, when offered on a limited basis, constitutes rate deaveraging and therefore cannot be permitted by law. MCI admits that "promotional plans that are made available in less than a carrier's full service area

---

<sup>23</sup>See, for example, AT&T comments at 37-38; MCI comments at 34-35; Sprint comments at 15; LDDS comments at 15; Cable& Wireless, Inc. comments at 5; Frontier comments at 9.

arguably constitute geographic rate averaging. There simply can be no other answer here, of course."<sup>24</sup>

Before enactment of the 1996 Act, the Commission had required that optional calling plans must be available nationwide unless technically infeasible.<sup>25</sup> It had also held that Tariff 12 terms -- not confined to message telephone service (MTS) and wide area telecommunications service (WATS)<sup>26</sup> -- must be available to all similarly situated customers regardless of location.<sup>27</sup> The broad language of the statute and the Conferees' explicit explanation that action on post-enactment "exceptions" -- such as Tariff 12 services -- must rely on the forbearance authority in Section 10 of the Act demonstrate that the policy covers services that go well beyond MTS and WATS, and includes optional discount plans.

AT&T argues in favor of such limited plans by asserting that temporary price changes do not have any significant impact on the

---

<sup>24</sup>MCI comments at 35.

<sup>25</sup>Guidelines for Dominant Carriers' MTS Rates and Rate Structure Plans, 59 P&F Rad. Reg. 70, 90 (1985).

<sup>26</sup>Frontier Corporation mistakenly claims that only MTS and WATS services are required to be averaged. Frontier Corp. comments at 9.

<sup>27</sup>Competition in the Interstate Interexchange Market, CC Docket No. 90-132, 6 FCC Rcd 5880, 5892, 5901 (1991).

market as a whole.<sup>28</sup> Yet, if the impact is as insignificant as AT&T says, then why is AT&T unwilling to make these promotions available throughout their entire service area? AT&T further states that "the whole purpose of promotions is to offer lower prices" and that "restrictions on such pricing actions would more likely injure than protect consumers."<sup>29</sup> The RTC fails to see how customers living in rural areas not receiving discount options would benefit from these lower prices or how making these offers available to rural areas would be injurious to these customers.

Noting its familiarity with the problem where discount plans which lead to substantial price reductions are available only in selected geographic areas, the Pennsylvania Office of Consumer Advocate (PaOCA) reports that: "This has been the source of consumer complaints where consumers believe that such selective discounting is unfair to them" and concludes that "the rates which Congress determined should be averaged are the rates actually paid and not the undiscounted ones."<sup>30</sup> If the

---

<sup>28</sup>AT&T comments at 37-38.

<sup>29</sup>AT&T comments at 38.

<sup>30</sup>Pennsylvania Office of Consumer Advocate comments at 6-7.

Commission is to ensure that subscribers in rural and high cost areas **throughout the Nation** are able to receive both intra- and interstate rates at rates no higher than those paid by urban subscribers,<sup>31</sup> IXCs must be required to offer discount and promotional plans ubiquitously, throughout their entire service area. Attempts to permit geographically limited optional discount plans and to limit geographic averaging and rate integration to MTS and WATS must fail.

**IV. THE COMMISSION'S DECISIONS ON UNIVERSAL SERVICE ISSUES AS WELL AS ITS AUTHORITY UNDER SECTION 214 SHOULD BE USED TO MITIGATE INCENTIVES BY IXCS TO WITHDRAW OR CURTAIL SERVICE FROM RURAL AREAS**

Many of the commenters who argue for forbearance and flexibility in the Commission's rules assert that strict enforcement of the geographic averaging and rate integration requirements will discourage carriers from offering service in rural and high cost areas.<sup>32</sup> The RTC agrees that this may be a natural competitive response for many IXCs. However, forbearance from or additional exceptions to the rate averaging and integration requirements is not the solution. As the RTC

---

<sup>31</sup>1996 Act, Joint Explanatory Statement of the Committee of Conference, p. 132.

<sup>32</sup>See, for example, AT&T comments at 29-31; LDDS comments at 14; BellSouth comments at 5-6.



discussed in its initial comments, the FCC has ample power to preserve and even increase available rural interexchange choices.<sup>33</sup>

The best way to satisfy the rate averaging mandate without harming interexchange providers' incentives to serve rural areas is to mitigate high rural access charges. The Commission should, in fact, do exactly the opposite of MCI's suggestion to "average" only cost differences that remain when access charges are disregarded.<sup>34</sup> That course of action would effectively ensure that rural and urban and interstate customers in different states would not enjoy the interexchange rate parity Congress has just specifically enacted on their behalf. Instead, to keep faith with Congress, the Commission should target its high cost universal service mechanisms in part toward reducing the access charge disparity between rural eligible carriers and urban access providers and among the states enough to mitigate deaveraging pressures. As a first step, it should provide for bulk-billing of amounts resulting from dial equipment minute (DEM) weighting. This approach can readily be accommodated within the 1996 Act's

---

<sup>33</sup>RTC comments at 11-13.

<sup>34</sup>MCI comments at 27-28, footnote 42.

framework of targeting mechanisms to state-designated eligible carriers and funding universal service programs through broad-based contributions from all interstate and intrastate service providers.

Possibly foreseeing the potential for degradation of service to rural areas as a result of the Section 254(g) requirements, Congress expressed its expectation that the Commission "continue to require that geographically averaged and rate integrated services, and any services for which an exception is granted, be generally available in the area served by a particular provider."<sup>35</sup> Thus, the suggestion by Cable and Wireless, Inc. that IXCs should not be required to provide each of its services ubiquitously or even throughout the full extent of each of the geographic areas or states that it serves,<sup>36</sup> is at odds with the requirements of the 1996 Act and must be disregarded by the Commission. To the contrary, the Commission should state in its rules that IXCs must make all of their service offerings available throughout their entire service areas, including the rural areas that they serve, and may not limit certain services

---

<sup>35</sup>1996 Act, Joint Explanatory Statement of the Committee of Conference, p. 132.

<sup>36</sup>Cable and Wireless, Inc. at 4.

to select areas or states within their service areas.

As a last resort to ensuring rural access to reasonably comparable interexchange services to that in urban areas,<sup>37</sup> the FCC must be willing to enforce Section 214 fully to prevent discontinuation and degradation of rural services. The RTC agrees with the United States Telephone Association (USTA) that the Commission must "affirm that AT&T and other facilities-based non-dominant interexchange carriers remain subject to the requirements of Section 63.71 of the Commission's rules, and will not be permitted to discontinue, reduce or impair service to areas with no other comparable facilities-based interexchange carrier."<sup>38</sup>

---

<sup>37</sup>The 1996 Act establishes seven principles of universal service on which the Commission and a Federal-State joint Board must base its universal service policies. One of these principals states, in part, that consumers in rural, insular, and high cost areas, should have access to telecommunications and information services, **including interexchange services**, that are reasonably comparable to those services provided in urban areas and that are available at rates that are reasonably comparable to rates charged for similar services in urban areas. 1996 Act at Sec. 101 (adding new Sec. 254(b)(3)).

<sup>38</sup>USTA comments at 7-8.

**V. PUBLIC RATE FILINGS ARE NECESSARY TO ENFORCE THE GEOGRAPHIC AVERAGING AND RATE INTEGRATION REQUIREMENTS EFFECTIVELY**

Numerous commenters recognized the insufficiency of the Commission's proposal to enforce compliance with the rate averaging and integration requirements solely through certification and the Section 208 complaint process.<sup>39</sup> The RTC concurs with the America's Carriers Telecommunication Association when it states that:

The decision not to rely on tariffs is premature...Reliance on the Commission's complaint process is not a valid alternative...[T]he Commission's statement of its intent to rely on the complaint process is viewed by many small carriers which have been caught in its morass, as tantamount to the Commission stating it is abandoning any hope of effective enforcement of its policies.<sup>40</sup>

Without some type of filed rate, it would be nearly impossible for a complainant to establish a case showing that a violation of the rules had occurred. "They would lack both the

---

<sup>39</sup>See, for example, America's Carriers Telecommunication Association comments at 9-10; General Communication, Inc. comments at 7-8; State of Alaska comments at 5-6; Alabama Public Service Commission comments at 4; State of Hawaii comments at 10; PaOCA comments at 6.

<sup>40</sup>America's Carriers Telecommunication Association comments at 9-10.

information and the resources to do so."<sup>41</sup> As the State of Hawaii explains:

to substantiate a complaint under the Commission's proposal, each complainant would have to ascertain (presumably unpublished) prices not only in his or her own geographic market, but also in the distant geographic markets suspected of receiving unlawful, favorable treatment.<sup>42</sup>

While the Commission has not met the standard for forbearance from its tariffing requirement, it may be appropriate for it to revise, modify or forbear from enforcing some of the Part 61 rules that require the filing of extensive data with the Commission. Consumers must have easy access to publicly filed rates to determine whether or not their rates are averaged and integrated. The RTC believes rates should be filed when they become effective. The mere certification that rates are averaged and integrated will not suffice to make it so. As the PaOCA states:

Given that the Congress has enacted a specific statute to mandate rate averaging, the FCC should do more than simply request certification and instead should maintain sufficient price information to independently verify that fact. Otherwise, the rate

---

<sup>41</sup>State of Alaska comments at 6.

<sup>42</sup>State of Hawaii at 10.

averaging requirement becomes an empty safeguard with no capability for any real enforcement.<sup>43</sup>

In addition to rate filings with the FCC, an efficient and effective way to disseminate price information to consumers would be to require IXCs to post such information on the Internet and to update it regularly in tandem with rate changes.<sup>44</sup> The level of detail in such public filings, both with the FCC and on the Internet, should provide consumers with sufficient information for complaints to survive routine summary judgment motions alleging failure to plead a *prima facie* case.<sup>45</sup> At the same time, permitting rates to become effective concurrent with the public filing would recognize "the value in allowing IXCs to file price changes rapidly in response to competition without any delay associated with the tariff filing process."<sup>46</sup>

---

<sup>43</sup>PaOCA comments at 6. In addition, as the TDS comments state, certification of averaging and integration compliance by independent auditors would increase reliability. TDS comments at 3, footnote 1.

<sup>44</sup>The National Association of Regulatory Utility Commissioners (NARUC) similarly proposes that the FCC require all telecommunications carriers to provide current as well as proposed tariffs on-line as soon as economically and technically feasible. NARUC comments at 5.

<sup>45</sup>RTC comments at 6; USTA comments at 5.

<sup>46</sup>PaOCA comments at 4.

## **VI. CONCLUSION**

The Commission must implement the 1996 Act in a manner that is consistent with the language of Section 254(g) and the Congressional intent disclosed in the Joint Explanatory Statement and the public interest in rural America. Consequently, the Commission must reject parties' arguments for reducing the reach of the geographic averaging and rate integration mandates Congress enacted, forbearing from enforcement of Section 254(g) or undermining the national rate averaging and interexchange service availability policies with unjustified exceptions.<sup>47</sup> Furthermore, the Commission must require publicly filed rate schedules to ensure adequate enforcement of the geographic averaging and rate integration requirements.

---

<sup>47</sup>The Commission should hold the states as well as its own implementation to the letter and intent of Section 254(g). The ill effects of lax and unlawful federal forbearance from or rewriting of the law will be compounded if also forced upon the states, as AT&T urges. AT&T comments at 42. See, e.g., 1996 Act at Sec. 401 (adding Section 10(e)).

Respectfully submitted,

**THE RURAL TELEPHONE COALITION**

**NRTA**

By: Margot Smiley Humphrey  
Margot Smiley Humphrey

Koteen & Naftalin, LLP  
1150 Connecticut Ave., NW  
Suite 1000  
Washington, DC 20036  
(202) 467-5700

**NTCA**

By: David Cosson  
David Cosson

By: L. Marie Guillory  
L. Marie Guillory

2626 Pennsylvania Ave., NW  
Washington, DC 20037  
(202) 298-2300

**OPASTCO**

By: Lisa M. Zaina  
Lisa M. Zaina

By: Stuart Polikoff  
Stuart Polikoff

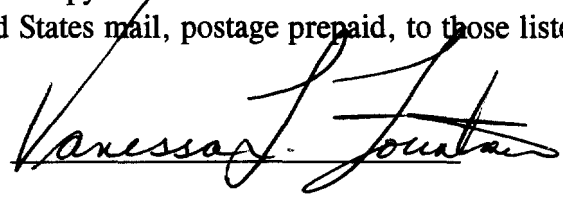
21 Dupont Circle, NW  
Suite 700  
Washington, DC 20036  
(202) 659-5990

May 3, 1996



## CERTIFICATE OF SERVICE

I, Vanessa L. Fountain, hereby certify that a copy of the RTC's comments was sent on this, the 3rd day of May, 1996 by first class United States mail, postage prepaid, to those listed on the attached sheet.

A handwritten signature in black ink, appearing to read "Vanessa L. Fountain", written over a horizontal line.

Vanessa L. Fountain